

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

SYBMOLOGY INNOVATIONS LLC,

Plaintiff,

v.

**GLANBIA PERFORMANCE NUTRITION
(MANUFACTURING), INC. d/b/a OPTIMUM
NUTRITION, INC.,**

Defendant.

C.A. No. 1:19-cv-881-MN

JURY TRIAL DEMANDED

**GLANBIA PERFORMANCE NUTRITION (MANUFACTURING), INC.’S
MOTION TO DISMISS FOR FAILURE TO STATE A CLAIM**

Defendant Glanbia Performance Nutrition (Manufacturing), Inc. d/b/a Optimum Nutrition, Inc. (“Glanbia”) respectfully moves this Court to dismiss Plaintiff Symbology Innovations LLC’s Complaint, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure, for failure to state a claim upon which relief can be granted.

The grounds for this motion are further set forth in Glanbia’s Opening Brief in Support of its Motion to Dismiss for Failure to State a Claim, which is being filed contemporaneously herewith.

Dated: June 12, 2019

Respectfully submitted,

FISH & RICHARDSON P.C.

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